

FORSTMANN-WALTON TEAM CREATING THE FUTURE OF AMERICAN EDUCATION

(Mr. SHAW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHAW. Madam Speaker, two businessmen, Ted Forstmann and John Walton, are, in my opinion, American heroes, and here is why.

American public schools are in crisis. The crisis is starkly illustrated by the results of the Third International Mathematics and Science Study which found that only Cyprus and South Africa have 12th graders who knew significantly less about math and science than United States students. The major cause of poor United States performance is that our public schools have a near monopoly on education and secondary education, stifling student's academic development. To counter this dilemma, Americans across this Nation are seeking much greater freedom of school choice.

And here is where Forstmann and Walton come in. Last year, through the Washington Scholarship Fund, they awarded over 1,000 scholarships to poor children in Washington, D.C., but they had requests for 7,500. In response to this great demand, the amazing Forstmann/Walton team has pledged \$100 million of their own money and plan to raise an additional \$100 million to provide around 35,000 scholarships to help poor children attend schools of their choice all across this country.

Mr. Forstmann and Mr. Walton are creating the future of American education. When at last our public schools have to compete for students, they will be remembered as two of our greatest, and most generous, education reformers.

SETTING THE RECORD STRAIGHT

(Mr. NADLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NADLER. Madam Speaker, I saw the news this morning that 400 and some odd Members of the House yesterday voted for an inquiry into impeachment of the President, including all of those of us who voted for the Democratic amendment to the Hyde resolution. That is simply not true. Many people who voted for the Hyde resolution voted for it, many people who voted for the Democratic amendment voted for it because they wanted an inquiry, but they thought the Republican Hyde resolution was a formula for an open-ended, politicized fishing expedition, and at least this would make it fairer. So they voted for the Democratic amendment, and then, when it failed, they voted against the Hyde resolution.

Some of us, however, thought and think there is no impeachable offense described in the Starr Report. Even if

you assume the President did everything it alleges he did, there is no impeachable offense. He should be punished in some other way for things he did that are not good things to do, but there was no impeachable offense.

We voted for the Democratic amendment as an amendment to make a bad bill, a bad resolution, a better bill, but, had the amendment passed, we still would have voted against the bill because, although it would have mitigated the damages in the bill, it made it much damaging to the country, it was still calling for an unnecessary inquiry. So one has to ask each Member who voted for the Democratic amendment which position he took, but one cannot say they all voted for an inquiry.

I thought the record should be set straight.

SENIOR CITIZENS IN CARSON CITY LOSE A DEAR FRIEND, BRUCE COTTAM

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Madam Speaker, the State of Nevada and the Senior Citizens Center in Carson City lost a dear and loyal friend yesterday.

Before his death yesterday, Bruce Cottam served over 4,000 volunteer hours, doing everything from building maintenance to modification projects. As a 6-year member of the Advisory Counsel for the Senior Center, Bruce served on the Finance Committee and was Chairman of the Building Committee. Most recently, he played an instrumental role in developing the plans and construction model for an expansion project of the Senior Center which will be constructed this spring. His dedication to seniors of this community can serve as an example to each of us here in Congress.

Bruce worked diligently, knowing that his volunteer hours would help save the Senior Center from facing enormous cost with a limited budget. He did all this hard work day in and day out, without ever recounting his own efforts. Each and every day Bruce would show up with a smile and friendly greeting, searching for the next project to be done.

Although Bruce lost his life yesterday, his legacy in the State of Nevada will live on, as will his commitment to the seniors and staff of the Carson City Senior Center.

THE PRESIDENT IS MISLEADING US

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Madam Speaker, do you remember the quote? The President said,

I am not against tax cuts, but I am against using the surplus for tax cuts or spending programs until we save Social Security.

That is the President's quote.

Well, the President cannot have it both ways. How do my colleagues think he plans to pay for the \$25 billion in new spending that he is demanding from us? He is holding this Congress hostage for \$25 billion of our hard-earned dollars. Right out of the surplus and Social Security, of course. This is the same surplus he claims he wants to protect and save for Social Security.

Do not be fooled, America. The President is misleading us. He is spending the surplus. He is not saving every penny for Social Security. He is using it to grow the government instead of growing our family's bank account where the surplus ought to be.

PATIENTS BEFORE PROFITS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include therein extraneous material.)

Ms. DELAURO. Madam Speaker, for 10 months the American public has been very clear in asking for one particular piece of legislation from this Congress, managed care reform. It has been very clear in defining what it wants from a Patients Bill of Rights, it is just common sense: the ability to choose your own doctor, guaranteed access to emergency rooms, guaranteed access to specialty care, a ban on all gag rules that limit doctors from offering treatment options and the right to hold HMOs accountable for their decisions.

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Yet during this Congress the Republican leadership stalled, dallied, and in the end, passed a sham bill that did not do any of the things that the public wanted.

We have 4 days left in this session to pass meaningful managed care reform. The cost of delay is serious. In the past week, 200,000 Medicare recipients have been dropped by their HMOs. This is wrong. It must be addressed before more people are put in jeopardy.

Madam Speaker, we need to put patients before profits. The doctor's office must be a place for medical decisions, not business decisions. We owe it to the American people to pass meaningful HMO reform and do it now.

MANAGED HEALTH CARE REFORM

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Madam Speaker, the focus of this House has been almost entirely on what the President did wrong and next to none on how Americans across this country have themselves been wronged in a variety of ways.

One of those that I hear the most from Texas concerns the whole problem of health care and access to health care, the fact that too many people find themselves subject to health care

providers who are gagged, they do not have a choice with regard to their health plan, that they are being harmed in some cases by the decisions that a clerk someplace, not a health care professional, not themselves, but a clerk somewhere who might get a bonus by denying them health care makes.

I would say that, in the waning days of this Congress, which has done so little to right the wrongs of the American people, that the President ought to say to the Congress, you cannot go home until you right the wrongs that have been done to the American people with reference to health care.

Let us see some meaningful reform of the way these managed care organizations work, the way they interfere in the doctor-patient relationship. Let us see something done to help the problems that the ordinary American family faces. Let us not go home until the job is completed. I hope the President will speak out on this issue.

CONFERENCE REPORT ON H.R. 3150, BANKRUPTCY REFORM ACT of 1998

Mr. LINDER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 586 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 586

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3150) to amend title 11 of the United States Code, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

Mr. LINDER. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Madam Speaker, House Resolution 586 is a typical rule for conference reports and will permit House consideration of H.R. 3150, the Bankruptcy Reform Act of 1998, a bill that is designed to improve bankruptcy practices and restore personal responsibility and integrity to the bankruptcy process.

H. Res. 56 waives all points of order against the conference report and against its consideration. The resolution also provides that the conference report will be considered as read.

The rules of the House provide for 1 hour of general debate equally divided between the chairman and ranking minority member of the Committee on the Judiciary. In addition, House rules provide for one motion to recommit with or without instructions, as is the right of the minority.

Madam Speaker, the statistics of U.S. bankruptcy filings are frightening. Bankruptcies have increased more

than 400 percent since 1980, and we expect over 1.4 million bankruptcies in 1998. In the past, it was possible to blame many bankruptcies on a recession or a poor economic situation. Today, however, we face record numbers of bankruptcy filings at a time of economic growth and low unemployment.

If we take these factors into account, we can realistically come to only one conclusion, bankruptcy of convenience has provided a loophole for those who are financially able to pay their debts, but simply have found a way to avoid personal responsibility and escape their financial responsibilities.

Since the beginning of the 104th Congress in January of 1995, we have worked to advance the values of personal responsibility. In the welfare bill, we thought that helping the poor escape the welfare trap, restoring the dignity of work, and reviving the individual responsibility would help people rise from generation after generation of despair. We were, of course, attacked as heartless and cruel.

Today we know that people are relishing personal responsibility and are moving from welfare to work in record numbers. In fact, in early 1996, simply the prospect of the passage of a welfare reform bill resulted in people moving from welfare to work.

This bankruptcy bill is the Congress' next step in cultivating personal responsibility on accountability. I expect we will hear more hollow charges that we are being heartless and cruel. Nonetheless, the abusers of bankruptcy laws need to receive a message that Federal bankruptcy laws are not a haven of personal fiscal irresponsibility.

If a debtor has the ability to pay the debts that have been accumulated, then they must be held accountable. We believe strongly that individual responsibility is a fundamental norm that Americans should accept.

For the average American who believes that these bankruptcies of convenience do not affect them, we should note that the abusers of the bankruptcy laws are punishing responsible consumers through increased prices and higher credit card fees.

We have to ask ourselves whether the American laborer who works 9:00 to 5:00, or longer, and pays his or her bills on time should have to pay the penalty for those who abuse our current bankruptcy laws. The answer is no.

We know that many people reach the point where they cannot dig themselves out of the financial hole they are in. We know layoffs can hit families at any time. We know that an unexpected medical emergency can undermine the best laid plans. Under this bill, effective and compassionate bankruptcy relief will continue to be available for Americans who need it.

What we cannot condone, however, are those who file for bankruptcy relief under Chapter 7 and have the capacity to pay at least some of their debts. In order to ensure that those who can pay

actually do pay, this legislation set in motion a needs-based mechanism.

If the debtor has the ability to pay, the case would be dismissed by the bankruptcy court or guided toward the more appropriate Chapter 13 where they can repay all or some of the debt.

The gentleman from Pennsylvania (Mr. GEKAS), the bill's author, informed us in the Committee on Rules last evening that the conference report adopts the Senate's provisions for a post bankruptcy petition judicial review and includes the House standard for determining the debtor's ability to repay debts.

It is important to note that this bill is not simply about stopping the abuses in the system. It is also about protecting consumers and providing help for those who have found themselves in financial straits.

H.R. 3150 guarantees consumer credit counseling and personal financial management education before being discharged from bankruptcy. It cracks down on misleading credit advertisements and contains consumer disclosure requirements.

H.R. 3150 also recognizes that American farmers face unique challenges, and the conference report ensures that bankruptcy laws protect farmers from the cyclical risks encountered in the agriculture sector.

I am also pleased that H.R. 3150 ensures the priority treatment accorded to child support claims, and in fact improves current law by raising child support and alimony payments to first priority. These are important protections that are supported by the National Association of Attorneys General and by child support agencies across the Nation. This bill also gives priority to the payment of judgments against drunk drivers and drug users.

Madam Speaker, in conclusion, I admit that I am disappointed that, in the face of a bankruptcy crisis that threatens to undermine our economy, I have heard that the President has vowed to veto this common sense legislation. Congress has done its legislative duty in crafting a bill that ensures the debtor's right to a fresh start and protects the system from flagrant abuses from those who can pay their bills.

We have an opportunity to equalize the needs of the debtor and the rights of the creditor, and I hope the President will not follow through on his veto threat.

Madam Speaker, I urge my colleagues to support this rule so we can pass this important legislation and send it to the President for his signature as soon as possible.

Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I thank the gentleman for Georgia (Mr. LINDER) for yielding me the customary 30 minutes.

Madam Speaker, I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)